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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,809	09/11/2003	Anthony J. Dezonno	95CR008/90458	5267

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WELSH & KATZ, LTD
120 S RIVERSIDE PLAZA
22ND FLOOR
CHICAGO, IL 60606

EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/659,809	DEZONNO ET AL.	
	Examiner	Art Unit	
	Olisa Anwah	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-46 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 25-46 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b); by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 25-27, 29-31, 33-35 and 37-46 are rejected under 35 U.S.C. § 102(e) as being anticipated by Jolissaint et al, U.S. Patent No. 6,463,149 (hereinafter Jolissaint).

Regarding claim 25, Jolissaint discloses a method for establishing communication by voice between a computer user and at least one agent, the computer user being associated with a computer, the method comprising:

entering into the computer a request by the computer user for a return communication by voice from the agent to the

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computer user in response to a prompt to the computer user to enter a request;

transmitting the request from the computer over a computer network to a computer controlled system; and

establishing communication by voice between the agent and the operator through the computer controlled system (see Figures 3a-e).

Regarding claim 38, Jolissaint discloses a method of communications between a computer user and at least one agent, the computer user being associated with a user computer, the method comprising:

establishing a web page on the user computer which prompts the computer user to enter a request for a return communication by voice;

entering in the user computer a request by the computer user for a return communication by voice from the agent to the computer user;

transmitting the request from the user computer over a computer network to a computerized system;

converting the request into a command formatted for use by the computerized system to establish a return communication by voice link;

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providing computer user information to at least one agent regarding the requested return communication (see Figures 3a-e).

Regarding claim 26, see Figure 3a-e.

Regarding claim 27, see Figure 3a-e.

Regarding claim 29, see Figure 3a-e.

Regarding claim 30, see Figure 3a-e.

Regarding claim 31, see Figure 3a-e.

Regarding claim 33, see Figure 3a-e.

Regarding claim 34, see Figure 3a-e.

Regarding claim 35, see Figure 3a-e.

Regarding claim 37, see Figure 3a-e.

Regarding claim 39, see Figure 3a-e.

Regarding claim 40, see Figure 3a-e.

Regarding claim 41, see Figure 3a-e.

Regarding claim 42, Jolissaint discloses a communication system for establishing communications by voice between a computer user and at least one agent, the computer user being associated with a user computer, and entering a request in the user computer for a return communication by voice from the at least one agent in response to being prompted to enter the request, the communication system comprising:

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an agent voice communication device associated with the agent;

a computerized system which receives the request for communication from the user computer, converts the request into a command formatted for use by the computerized system to establish a return communication link, and provides computer user information to at least one agent regarding the requested return communication (see Figures 3a-e).

Regarding claim 43, see Figures 3a-e.

Regarding claim 44, see Figures 3a-e.

Regarding claim 45, see Figures 3a-e.

Regarding claim 46, see Figures 3a-e.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 28 and 32 are rejected under 35 U.S.C § 103(a) as being unpatentable over Jolissaint, in view of Srinivasan, U.S. Patent No. 5,185,782 (hereinafter Srinivasan).

Regarding claim 28, Jolissaint fails to show the claimed entering and dialing limitations of claim 28. Yet Srinivasan discloses these limitations (see abstract). Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jolissaint with the entering and dialing limitations of Srinivasan. This modification would have improved the user friendliness of Jolissaint by returning calls at the customer's convenience as suggested by Srinivasan (column 1).

Regarding claim 32, Jolissaint does not teach the claimed redialing limitation. All the same, Srinivasan discloses this limitation (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jolissaint with the redialing limitation of Srinivasan. This modification would have improved the user friendliness of Jolissaint by returning calls at the customer's convenience as suggested by Srinivasan (column 1).

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5. Claim 36 is rejected under 35 U.S.C § 103(a) as being unpatentable over Jolissaint, in view of Frick U.S. Patent No. 5,473,676 (hereinafter Frick).

Regarding claim 36, Jolissaint does not teach the claimed bulletin board. Regardless, Frick meets this limitation (column 3). As a result, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jolissaint with the computer network of Frick. This modification would have improved the flexibility of Jolissaint by allowing a user to access a service via various computer networks as suggested by Frick.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A.

Olisa Anwah
Patent Examiner
April 22, 2005


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600